

REMARKS

Entry of this amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-3, 7-11 and 17-22 are pending and stand rejected.

Claims 1-3, 7-11, 17-19 and 22 have been amended.

Claims 1-3, 7-11 and 17-22 stand rejected under 35 USC 101 as the claimed invention is directed to non-statutory subject matter.

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims. However in the interest of advancing the prosecution of this matter, the independent claims have been amended to recite that the method is operable on a computer system and that the computer comprises a processor and a memory. No new matter has been added. Support for the amendments may be found in at least Figure 2, which illustrates a computer 30 comprising a CPU 33 and a memory 34.

Having amended the claims to recite that the method is performed on a computer system and the computer system includes a processor and memory, applicant submits that the reason for the rejection has been overcome and respectfully requests that the rejection be withdrawn.

Claims 1-3, 7-11 and 17-22 stand rejected under 35 USC 102(e) as being anticipated by Uehara (USPPA no. 2002/0056095).

Applicant respectfully disagrees with, and explicitly traverses, the reason for rejecting the claims.

Uehara discloses a digital video contents browsing apparatus and method wherein video contents distributed by digital broadcasting are obtained and divided into video contents segments on a channel basis, a program basis or a predetermined time basis. A collection of icons corresponding to the respective video contents segments can be displayed in accordance with a particular viewpoint when it is arranged in the position of the classification and arrangement results. The classification and arrangement are calculated according to the feature value of each video contents segment. Icons corresponding to the video contents segments are re-created by newly setting a division

basis arbitrarily, the feature values of the video contents on the newly set division basis are extracted and icons corresponding to video contents segments are rearranged for display (see Abstract). Uehara further discloses a "filtering part, which refers to the user profile information managed by the user profile management part and selects video contents complying with the conditions specified by the user profile information from the video contents obtained by the video contents obtaining part." (see paragraph [0059]).

Contrary to the statements found in the Office Action, Uehara fails to describe identifying a second program using the feature value, the key fields and a distance measurement method as is described in claim 1. Rather, Uehara teaches that a program or video contents may be selected based on the user profile information, i.e., matching the features of the programs to the user profiles. Uehara is silent with regard to identifying a second program using a distance measurement method.

It is well recognized that to constitute a rejection pursuant to 35 USC §102, i.e., anticipation, all material elements recited in a claim must be found in one unit of prior art.

Uehara cannot be said to anticipate the present invention, because Uehara fails to disclose each and every element recited.

The Office Action refers to paragraphs [0092]-[0099] for teaching the elements recited in the claims. However, a reading of these paragraphs and paragraph [0096], in particular, reveals that Uehara teaches narrowing a collection of displayed video contents segments "based on the conditions given by the user." Hence, Uehara describes a matching of elements based on conditions given by the user and fails to describe a distance measurement between the video contents and the selection criteria.

At least for this reason, applicant submits that the rejection of claim 1, for example, has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

With regard to the remaining independent claims, these claims recite subject matter similar to that recited in claim 1 and were rejected for the same reason used in rejecting claim 1. Thus, for the amendments made to these claims, which are similar to the amendments made with regard to claim 1 and for the remarks made in response to the

rejection of claim 1, which are also applicable in response to, and reasserted, as if in full, herein, applicant submits that the reason for rejecting these claims has been overcome and the rejection can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

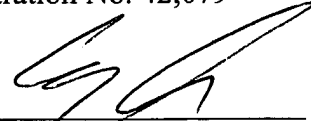
With regard to the remaining claims, these claims ultimately depend from the independent claims, which have been shown to contain subject matter not disclosed by, and, hence, allowable over, the reference cited. Accordingly, these claims are also allowable by virtue of their dependency from an allowable base claim.

Accordingly, applicant respectfully requests withdrawal of the rejection and allowance of the claims.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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